

1 BEFORE THE WESTERN WASHINGTON GROWTH MANAGEMENT HEARINGS BOARD

2
3 S/G PROPERTIES, a limited partnership,
4 and BRYAN SAKUMA, general partner

Case No. 07-2-0030

5
6 Petitioners,

ORDER OF DISMISSAL

7 v.

8 JEFFERSON COUNTY,
9

10 Respondent.
11

12
13 THIS Matter comes before the Board following notification from the Petitioners that the
14 above-entitled appeal has been settled. The petitioners wish to dismiss the Petition for
15 Review that they filed under this case number.¹ Jefferson County and the Petitioners have
16 executed a proposed Order of Dismissal requesting dismissal of this case.²
17

18 **DISCUSSION**

19 The Boards' Rules of Practice and Procedure provide that an action may be dismissed:

- 20 (1) When all parties stipulate;
21 (2) Upon motion of the petitioner or respondent prior to the presentation of the
22 respondent's case.
23 (3) Upon motion by the respondent alleging that the petitioner has failed to prosecute
24 the case, failed to comply with these rules, or failed to follow any order of the
25 board; or
26 (4) Upon a board's own motion for failure by the parties to comply with these rules or
27 any order of the board.

28 WAC 242-02-720.

29 Here, the parties have moved for dismissal prior to the presentation of the County's case,
30 based upon a settlement reached between the parties. Dismissal is appropriate.
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32

¹ Letter of February 29, 2008 from Mary Winters, on behalf of Petitioners.

² Proposed Order of Dismissal filed with the February 29, 2008 letter.

1 **ORDER**

2 Based on the foregoing, this case is hereby DISMISSED.

3
4 DATED this 10th day of March, 2008.

5 _____
6 James McNamara

7
8 _____
9 Holly Gadbow

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11 Pursuant to RCW 36.70A.300 this is a final order of the Board.

12 **Reconsideration.** Pursuant to WAC 242-02-832, you have ten (10) days from the
13 mailing of this Order to file a petition for reconsideration. Petitions for
14 reconsideration shall follow the format set out in WAC 242-02-832. The original and
15 three copies of the petition for reconsideration, together with any argument in
16 support thereof, should be filed by mailing, faxing or delivering the document directly
17 to the Board, with a copy to all other parties of record and their representatives.
18 Filing means actual receipt of the document at the Board office. RCW 34.05.010(6),
19 WAC 242-02-330. The filing of a petition for reconsideration is not a prerequisite for
filing a petition for judicial review.

20 **Judicial Review.** Any party aggrieved by a final decision of the Board may appeal the
21 decision to superior court as provided by RCW 36.70A.300(5). Proceedings for
22 judicial review may be instituted by filing a petition in superior court according to the
23 procedures specified in chapter 34.05 RCW, Part V, Judicial Review and Civil
24 Enforcement. The petition for judicial review of this Order shall be filed with the
25 appropriate court and served on the Board, the Office of the Attorney General, and all
26 parties within thirty days after service of the final order, as provided in RCW
27 34.05.542. Service on the Board may be accomplished in person, by fax or by mail,
but service on the Board means actual receipt of the document at the Board office
within thirty days after service of the final order.

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29 **Service.** This Order was served on you the day it was deposited in the United States
30 mail. RCW 34.05.010(1)

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ORDER OF DISMISSAL
Case No. 07-2-0030
March 10, 2008
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